

Office of General Counsel

Executive Registry

77-8489

26 July 1977

NOTE FOR: Director of Central Intelligence

FROM: Anthony A. Lapham
General Counsel

SUBJECT: Proposed Presidential Directive
on Counterintelligence

Action Requested: None; for your information only. I have received the attached from Sam Hoskinson for coordination, and I have sent it to the Acting DDCI, the DDO and the Comptroller for comment

Anthony A. Lapham

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Attachment

EXECUTIVE REGISTRY FILE

MEMORANDUM FOR

Declassified in Part - Sanitized Copy Approved for Release 2014/02/18 : CIA-RDP80M00165A002000130003-6

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UGC 77-4768

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20500

July 26, 1977

SECRET

MEMORANDUM FOR:

DEANNE SIEMER
FREDERICK BARON
ANTHONY LAPHAM
HERBERT HANSELL

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SUBJECT:

Counterintelligence

Attached for your review is a proposed draft Presidential Directive on counterintelligence pursuant to the recommendations in the PRM/NSC-11, Section 3 report. I would appreciate your written comments, if any, on this draft no later than COB 1 August.

At present our game plan is develop one comprehensive set of amendments to E. O. 11905 to include, in addition to the new counterintelligence function for the SCC, the changes proposed by the Attorney General's PRM/NSC-11 Subcommittee report (and approved by the SCC) and, as appropriate, the President's decisions on organization of the Intelligence Community.

SH
Samuel M. Hoskinson
NSC Staff (Intelligence)

Attachment

cc: Harold Saunders
John Harmon
Jim Taylor

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SECRET/XGDS2

Classified by: Z. Brzezinski

EXECUTIVE REGISTRY FILE

NSC

DRAFT

THE WHITE HOUSE

WASHINGTON

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Presidential Directive/NSC

TO: The Vice President
 The Secretary of State
 The Secretary of Defense
 The Attorney General
 The Director of Central Intelligence

SUBJECT: National Foreign Counterintelligence Policy and Coordination

The purpose of this directive is to establish national policies and an interagency review and coordination process to improve the effectiveness of U.S. foreign counterintelligence for protection of the United States and its citizens from foreign espionage, covert action and terrorism while safeguarding constitutional and statutory rights of U.S. citizens.

1. Definitions

For the purposes of this Directive:

a. "Foreign counterintelligence" means activities conducted by the FBI, CIA and military services to protect the United States and its citizens from foreign espionage, foreign covert action and foreign terrorism.

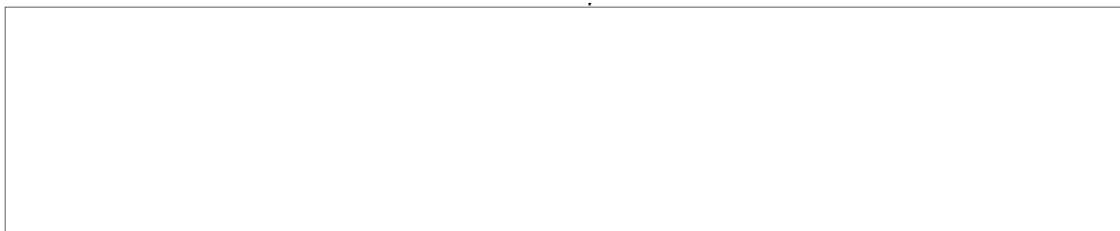
b. "Foreign counterintelligence activities" consist of the following:

-- Collecting, developing, recording, producing and disseminating information on persons, groups, organizations, or nations involved in activities of foreign counterintelligence concern.

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-- Identifying, penetrating, manipulating or neutralizing groups or organizations performing or involved in foreign espionage, foreign covert action and foreign terrorism;

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-- Training in foreign counterintelligence; and

-- Research and development of techniques and equipment to improve the United States foreign counterintelligence effort.



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2. NSC Special Coordination Committee

The NSC Special Coordination Committee will assume the following responsibilities in the area of foreign counterintelligence:

- a. Development of a national policy governing the objectives, priorities, conduct, and unified direction of United States foreign counterintelligence activities for approval by the President.
- b. Development of uniform standards and doctrine for the foreign counterintelligence activities of the United States for approval by the President.
- c. Overseeing the carrying out of national foreign counterintelligence policy by resolving implementation problems including the extent, nature and locus of coordination; training; [redacted] and methods of operations.

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- d. Development and monitoring new guidelines for the maintenance of central records of foreign counterintelligence information, [REDACTED]

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- Determining of locus of such a central depository.

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-- Assuring that foreign counterintelligence information is collected, analyzed and disseminated in timely and useful studies or reports to foreign counterintelligence users-- national, departmental or interdepartmental.

- e. Preparing and submitting to the President an annual net foreign counterintelligence assessment, including:

-- An assessment of the threat to United States interests from the activities of foreign intelligence and security services;

-- An assessment of the effectiveness of the United States counterintelligence effort against the threat; and

-- Appropriate conclusions and recommendations.

- f. Reviewing any specific foreign counterintelligence proposal or activity which the SCC considers involves particularly sensitive or important national policy or political factors. Such a proposal or activity will be sent to the President for decision when the SCC considers that the proposal or activity may have vital impact on the national security of the United States or on rights protected by the Constitution or laws of the United States. The SCC will make its recommendation, which will be accompanied in pertinent cases by an opinion of the Attorney General on legal implications of the proposal or activity.

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3. Authority and Limitations

- a. Policies and decisions of the SCC will conform with the provisions of executive orders, statutes, Attorney General guidelines and rulings, and internal department or agency regulations concerning foreign counterintelligence activity or foreign counterintelligence related activity.
- b. Policies and decisions of the SCC may be reviewed by the National Security Council upon appeal by the Attorney General, the Director of Central Intelligence or any member of the National Security Council.
- c. The Chairman SCC may establish such subordinate committees and working groups as may be necessary to carry out the responsibilities of the SCC, [REDACTED] Membership on these subgroups shall be determined by the SCC. The Chairman of each will be designated by the Chairman, SCC.

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The Director of Central Intelligence, Secretary of Defense and Attorney General shall draft appropriate amendments to E. O. 11905 to implement the above decisions.

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	COMMENT	FILE	RETURN		
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Remarks:					
<p>I have received for coordination the attached proposed Presidential directive on counterintelligence. Response is due back to Sam Hoskinson by 1 August.</p> <p>In my absence on leave during the week of 1 August, my Deputy [redacted] will pull together a response based on your comments.</p> <p style="text-align: right;">[redacted] Tony Lapham</p> <p>cc: [redacted]</p>					
TO RETURN TO SENDER					
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